App. F. IX-4

Previous References 1932 (Mysore) File No. 32

Serial Nos. 1 – 3

Later References.

Mys (a) - 33 =1
Mys 607 - 35-2-3
234.39 - 1.2
214-41 - 1.2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 3

Part B for December 1934.

SUBJECT.

Transfer of the management of the
Church at Mysore
to Mysore Government

WD 01965—GPB—15,000—7-7-34

M No H.132.

320.

Mcy 208 — 32 1.

DEWAN'S MINUTE

DEWAN'S OFFICE

FILE No. 193 . J. 1932

1) I attach for [illegible]
[illegible] correspondence [illegible], from
[illegible] extract of [illegible]
I am personally not aware of any [illegible]
[illegible] check if a criminal conviction
could be linked in some way.
Presumably, the Govt of Orissa have no
intention of keeping any security with-
out cause.
2. Govt of Mysore have built temples, &
[illegible] of mosques & Muslim tombs. Many
~~Church~~ may possess a church also
so a further proof of the Nizam's
broad-mindedness.

29-9-32

Post Mcy to note his
Comments.

2. There are previous papers
on this subject and they
may be perhaps very
early

2110

Yl Secy
(Mcy
with Comments)

Mcy
30/9/32
[illegible]

Serial No.

T

OFF FIN. & MIN. 1932 No. 2192

(3) P. W. R File No 35/B Containing the previous Correspondence on the Subject, has been informally obtained from the Public Works Department, and Enclosed herewith, as directed

GC. 4/10/32

4 Kind reference is invited to the Minute of the Member dated 24.6.32 and the Orders of the Board dated 25.6.32 in the P.W. Sett case submitted for orders.

JL Seey) 1st Member)

H&C 4/10/32 S 5-10-32 mm

5 The previous papers are put up. There is no objection to the proposal now made as according to it the entire Control over the Church would be with Govt. It is necessary to find out what amount should be paid by Govt for the maintenance of the Church. In the S.E's letter dt 28-11-32 this annual charge is stated to be Rs 100. In the Archdeacons letter dt 17.12.31 however it is stated that the average expenditure on repairs is about Rs 136 per annum and that on Servants about Rs 180 per annum. Sir Charles Todhunter may be

DEWANS OFFICE 2089 6 - OCT. 1932

NOTE—Contn. Sheet.

be able to give definite information on this point.
If all control over the church is transferred to Govt
an annual grant of the amount required for
its maintenance and repair may be allowed. Any
payments by the Congregation or other receipts may be
taken in reduction of the grant.

6 As regards the drain around the
Church the Dist Resy stated that provision therefor
could be included in the Cog'l budget for 1932-33
If this provision has been made it may be
left to be used for Constructing the drain.

Mr G 6/10/32.

Mr
6-10-32

7
Sir Ch. Todhunter
may be approached
Consulted in re
Malir.

8 Forwarded with compliments by Sir Charles
under for favour of his remarks
S. Hamilton
7-10-32

Returned with compliments.

I am very sorry that this has been so long delay-
I have had references from the Bishop and the Residency
so on the subject to deal with.

10 I understand that the legal position is that,
before the Government of India remove the Church from their
list of maintained churches, they must first give notice

FINANCIAL SECRE
2 DEC 32
No

2/12/32

Serial No.

to the Metropolitan of India, and that their intention can only be carried into effect one year after the 1st April next following their giving this notice. Presuming therefore they gave notice now, the transfer would take place with effect from 1st April 1934.

11. If the State did not take over the Church, the effect of the Government of India giving it up would be that from 1st April 1934 it would pass automatically to the control of the Indian Church Trustees. This is a body of holding Trustees scattered all over India, who have no fund to administer. They could therefore do nothing to assist in the maintenance of the Church, but would be liable to hamper transactions in which questions of title were involved.

12 I gather that the Bishop and the Residency would be quite ready to agree to the transfer to the Muzrai Department provided that the Government were prepared to frame a rule under Section 41(6) of the Mysore Religious and Charitable Institutions Regulation of 1927 retaining the Bishop's and Chaplain's control of the conduct of services and the like in terms of the present Madras Ecclesiastical Rules.

13 I see that the amount which the Government of India spend on repairs to the Church is calculated at ₨100 in one place and ₨136 in another. There are some small receipts from grass and fruit trees to set against this.

14 I think it would be desirable to insist that the Government of India should put the Church into a thorough state of repair before handing it over, and should carry out the drainage scheme out of which the whole of the

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-35

File No. of 193 .

General and Revenue Secretariat

Serial No.

correspondence arose. The Resident is satisfied that this is essential to save the structure of the church. At the present moment a large part of the compound is under water and the whole of the floor is wet with what has come up through the walls.

15 I see it is suggested that the Government of Mysore might be called upon to meet the cost of the peon. In the alternative that charge might be left to the congregation to meet.

16 The actual charge on the Muzrai fund would then be the cost of repairs, say Rs100 a year, less the amount realised for the grass in the compound, which has amounted in some years to as much as Rs50 a year.

17 I might perhaps add in conclusion that His Highness the Maharaja has been very graciously pleased to offer the Church a donation of a stained glass window in connection with the celebration of the centenary of the erection of the Church, which takes place this year.

Private Secretary
to H.H. the Maharaja of Mysore.
1-12-1932

18 Refer - orders of the Dewan at para 7 of the note, supra
Subd for orders
C.G. 2/12/32
Fri Secy)

19 AS please see me 2/12/32

2084 — 2/12/32 — 210

Note—Contn. Sheet 2

21) Submitted with copies of the Constitution Canon

WD 70—GBPM—60 000—12-8 31.

and Rules" of the Church of India, Burma & Ceylon and the "Madras Ecclesiastical Manual", received from the Private secretary to His Highness the Maharaja of Mysore. (Ext. A)

22 In para 10 Rept Sri Ch.T. explains the legal position as he understands it. In his D.O. of 3rd Feby however he says "that the question of the legal possibilities of such a transfer is likely causing a good deal of difficulty" and that he hopes to discuss it with the Secy to the Resident. The result of this will have to be awaited.

23 In para 12 he says that the Bishop and the Residency will be quite ready to agree to the transfer of the church to the Muzrai Deptt provided the Govt were prepared to frame a rule under Sec 41 (6) of the Mysore Religious & Ch. Inst. Act of 27 retaining the Bishop's & Chaplain's Control of the Conduct of Services & like matters in terms of the present Madras Ecclt Rules.

24 A perusal of the relevant portion of the Madras Ecc Rules cited by Sri Ch. in his D.O. of the 3rd Instt shows that such a transfer to the Muzrai Deptt of the Church cannot but raise some difficult questions. For instance Rule I on page 105 (Pt J) of the Madras Ecc. Rules gives the Lower a appointing Trustees to the Govt in

General and Revenue Secretariat | File No. | of 1932.

Serial No.

Council - this Govt will have to West in the Govt of Mysore or such other officer as may be appointed by Govt on this behalf.

25) A para under Rule IV requires reports of vacancies to be made to the Lord Bishop for the info of Govt. As the Govt of Mysore will have taken charge the Lord Bishop will have to report such vacancies to this Govt.

26) Rule V defines the powers of the Chaplain & the Lay trustees and makes the Lord Bishop the arbitrator in cases of dispute. How far this will be workable when the Church is transferred to Mysore Govt is a point for consideration

27) Perhaps new rules will have to be framed suited to Mysore Conditions & the Mysore Govt.

28) Sri ch. calculates the total charge at Rs 1000/- a year less realisations for grass in the Compound but whether the expenditure can be limited to this figure is doubtful. When high personages such as H.E. the Govt-Genl or H.E. the Govr of Madras or of Bombay visit Mysore and decide to attend the Church Service extra Cost will have to be incurred and the Mysore Govt cannot grudge Spending

29) Copies of the relevant portions in the two books sent by Sri ch: have been got typed and the books may be sent to him

Jr. A

Jr Secy

11/2/33

A

1st Mar)

2.3.33

A

2/3

2 MAR. 1933 No. 5633

NOTE—Contn Sheet.

WD 70—GRPM—60,000—13-8-31

File No.

of 193 .

General and Revenue Secretariat

30 The Suggestion made in Sir Charles Todhunter's Note of 1.12.32 may be accepted.

31 We may agree to take over this Church and arrange for its administration thro the Mur Dept.
We may ask for a draft of the rules for the Management of this institution referred to in para 12 (Sir C. Todhunter's Note). All powers of control would be exercised by us and we may, of course, take the advice of the Constituted Ecclesiastical Authorities in matters in which we want their help and guidance. I do not think any difficulty will arise in managing this institution — As suggested by Sir C Todhunter and as agreed to by the Resident we may ask the Crawley Trust to put the Church in thorough repair before transferring it to us.
The Cost of annual repairs would vary but is not likely to be heavy. The cost of the staff for the care of the buildings may be paid by us and met partly, if not wholly, from the payments by the Congregation and other miscellaneous receipts of the Church.

Dewan

I agree. Mash note for H. H's sanction

Mal
11.3.33

Mal
13-3-33

13/3

13/3

DEWAN'S OFFICE
5250
13 MAR. 1933

General and Revenue Secretariat | File No. 207 of 1932

Serial No.

1) Draft D.O. returning the books to the Private Secy. as revised as ordered in para 29 no -15/3

2) Fair Copy to be sent to H.E. Secy for signature 15/3

To. The Private Secy. to HH.
D O letter No 1332 G/15 3/33 returning the books

3) D.O. No 20/3.

4) Put up revised draft as instructed please 21/3

5) Revised typed draft D.O. letter No 20/3 21/3

For approval 21/3/33

Fin Secy)

182. Secy)

6) 22/3

7) 22/3

Secy)

8) 24/3/33

28-3-33

DEVELOPMENT SERVICE 1933

OFFICE OF THE FIRST MEMBER OF COUNCIL 22 MAR. 1933 No. 6162

NOTE—Contn Sheet.

File No. _____ of 193 .

General and Revenue Secretariat

Final Note by the First Member of Council.

Subject:—

Management of St. Bartholomew's Church at Mysore.

These papers relate to the transfer of the St. Bartholomew's Church from the Government of India who are now maintaining it, to the Government of Mysore in the Muzrai Department.

Sir Charles Todhunter has, in his D.O. letter of the 28th September 1932 to the Dewan, explained why he considers it desirable to take over the Church, guaranteeing the present arrangements for holding services for the European servants of the Crown being continued.

We manage a number of temples and mosques and there can be no objection to our managing a Church as well. We may agree to take over this Church and arrange for its administration through the Muzrai Department. We may ask for a draft of the rules for the management of this institution referred to in para 12 of Sir Charles Todhunter's note dated 1st December 1932. All powers of control would be exercised by us and we may, of course, take the advice of the constituted Ecclesiastical Authorities in matters in which we want their help and guidance. As suggested by Sir Charles Todhunter and as agreed to by the Resident, we may ask the Government of India to put the Church in thorough repair including drainage before transferring it to us. The cost of annual repairs would vary, but it is not likely to be heavy. The cost of repair and of the staff - a peon - for the care of the building, not met from payments by the Congregation and other miscellaneous

receipts

(F.'N.—contn.)

receipts of the Church, may be paid by us.

The above proposals are agreed to by the Dewan and they may be graciously sanctioned.

Bangalore,)
24th March 1933.)

MEMBER OF COUNCIL.

Submitted to His Highness.

I submit herewith a Final Note by the First *Member of Council on the subject of* the transfer of the St. Bartholomew's Church from the Government of India to the Government of Mysore in the Muzrai Department *for His Highness' gracious approval.*

Mirza M. Ismail
Dewan.

Bangalore,
28th March 1933.

Record of Cases submitted for the Orders of

His Highness the Maharaja.

Subject.

Transfer of the St.Bartholomew's Church at Mysore from the Government of India to the Government of Mysore.

Order.

C. 441/Misc 1.

Ballabrooie,

Bangalore, 27th June 1933.

DEPARTMENT 28. JUN 1933

Forwarded with Compliments to the Second Member — Mysore 25-6-33

Reply sent 28/6

My dear Krishna Rao,

I am so sorry to trouble you again regarding the matter of the transfer of St.Bartholomew's Church which has already been the cause of so much correspondence.

I was just despatching a letter to Major Kirkbride sending him the enclosed copy of a letter from Mr.Scaldwell regardin the general condition of the structure, and asking if the opportunity could not be taken of the Bishop's visit to get the matter of the future of the Church settled, when I received from Mr. Scaldwell a copy of Residency letter No.4589/397/A/1931, dated the 22nd instant, from which it appears that the Government of India have accepted the necessity for draining the compound, but are still urging that the work should be done at the cost of the Government of Mysore because the majority of the Congregation are subjects of His Highness the Maharaja.

As I hope that you will be replying to this letter while the Bishop is here, I may perhaps be permitted to put forward certain considerations in connection with it.

Except for the fact that the structure has undergone further deterioration, the position does not seem to have altered in the long period that the matter has been under correspondence The land on which the Church stands was granted by His Highness the late Maharaja to the Congregation. The Church was built by them. In 1865 the Government of Madras undertook the management of it, under conditions which are not now traceable. This trusteeship was transferred to the Government of India, who have since received the revenues of the land and maintained the structure of the building. It is worthy of note that in several years the receipts from grazing have exceeded the expenditure on repairs. The Government of India are now anxious to divest themselves of

their trusteeship, but have involved themselves in legal difficulties owing to the fact that they have wrongly entered the Church in the Schedule of Churches that belong to them which is attached to the Indian Church Act. The process of divesting themselves of this claim of ownership seems to be extremely complicated and bound to cause delay, but, subject to what the lawyers may say, it seems to me there is a simple way of avoiding it, namely, by using the provisions of the Mysore Religious Endowments Regulation which enable a trustee to make over the conduct of his trust to the Muzrai Department. And I believe I am right in saying that the State would not object to accepting the trust on these terms.

Meanwhile it is obviously the duty of the Government of India to put the property into a reasonable state of repair before they divest themselves of the trusteeship, and there is no reason why the Government of Mysore should contribute to the repair of the building before it is made over to them.

I have written to both the Bishop and the Residency on somewhat the same lines in the past, and hope that it may be possible to arrange a meeting when the Bishop is here to bring the matter to a settlement.

Yours sincerely,

Copy of D.O.letter No.[illegible], dated 13rd June 1933 from the Superintending Engineer, Mysore Circle, Mysore, to the Private Secretary to His Highness the Maharaja of Mysore, Mysore.

I am writing to you regarding certain urgent repairs required immediately to St.Bartholomew's Church at Mysore. Water is soaking into the terrace roof rather badly as you must have observed of late. On examining the roofing I find that the chunam mortar can be scraped off quite easily and seems to have become effected by some saline action in much the same way as the walls, from which the plastering is crumbling. I cannot account in any other way for the plastering of the terrace being so easily scraped up as if it had lost all its setting property. On removing some of the plaster of the terrace, I find that no flat tiles have been used over the terrace bricks, in consequence of which water soaks in through the disintegrated mortar.

I consider that it is imperative to remove all the loose plastering of the terrace and put down two courses of flat tiles in chunam mortar, after giving special attention to the deep cracks formed in the terrace, and replaster the whole. This work will cost approximately Rs 350.

The building is disfigured outside by the plaster crumbling from the walls, due to saline action in the water-logged Churchyard, and unless the old mortar is removed to a height of six feet all round and replastered with a mixture of cement and chunam mortar, furher disfigurement will take place.

Inside the Church also the plastering of the northern wall is crumbling very badly, and unless the old plaster is remove and redone the crumbling of the old plaster will work higher up on the wall, disfiguring the interior as well.

The flooring also is damp and presents the appearance of water having been poured over it, and handfulls of crystaline salts are swept up each morning. This will have a bad effect on the tiles and eat away the surface glazing of the tiles in the course of few years. I believe this tile flooring has not been laid very long and I consider it is advisable to take up the tiles and treat the floor with some damp proof composition and relay them.

laid in 1927-28

The Churchyard becomes a swamp during monsoon months from June right up to December, which is naturally causing the dampness to raise higher in the walls and floor, and the drainage of the Churchyard is an immediate necessity. An estimate was prepared a couple of years ago amounting to Rs 1800 for excavating a drain along the northern side and filling it with loosely packed stone to act as a jelly drain; this drain will pass below the road and through the Wesleyan Mission compound to the large open drain beyond.

The urgency for this work has been brought to notice several times, but the estimate has not yet been sanctioned. It is imperative that something should be done immediately to drain the Churchyard, and I would press that the estimate is sanctioned so that the work may be carried out before the heavy rains start in September and October to prevent further deterioration of the building.

C. 446 /And

Ballabrooie,
Bangalore, 28th June 1933.

My dear Krishna Rao,

In continuation of my letter of yesterday relating to St.Bartholomew's Church, I write to say that I have now received from the Superintending Engineer a rough estimate of the total amount necessary for putting the building into order. I append the particulars overleaf.

It will be seen from this that, if the Government of India make over charge of the building now, they ought to make over with it a sum of Rs3,290/- in all to pay for putting the premises in thorough order.

In case the work of draining the compound is not to be taken in hand at once, the Superintending Engineer has sent a further estimate for Rs150 for excavating a well 8 feet deep and for installing a hand pump for the purpose of draining the surplus water out of the compound.

I have just had a telephone message from Major Kirkbride suggesting a conference at the Residency at 12-0 tomorrow, so, if you have any points you would like to have put forward on behalf of the State, I should be glad to be advised of them.

Yours sincerely,

L i s t

Estimate already submitted for draining the compound	₨1,840-0- 0
Repairs to terrace roofing	₨ 350-0- 0
Plastering ~~for~~ to a height of 6 feet all round the church and the wall inside	₨ 100-0- 0
Removing the present flooring tiles and re-laying them over damp proof material, allowing 25% breakages in removing the tiles	₨ 800-0- 0
Repairing the cottage attached to the Church in which the plastering is eaten away very badly and some of the rafters and doors require attention.	₨ 200-0- 0
Total	₨3,290-0- 0

No. 2968

Bangalore,

28th June 1933.

My dear Sir Charles,

I have received your two letters of the 27th and 28th instants regarding the Saint Bartholomew's Church. The connected file, I understand, is with you. No points other than those noted in this file strike me. We shall be glad to take over the institution under our management, but the transfer should be complete. The Government of India as the trustees of this institution may make over its management to us under our Religious and Charitable Institutions Regulation. As you observe, it is only fair that the building should be reduced to a reasonable state of repair before it is made over to us, especially as for several years in the past the receipts from grazing have, as you state, exceeded the expenditure on repairs. Besides, the whole expenditure for putting this property in order is only about Rs 3,000/- and the Government of India should not grudge to ~~ex~~spend this sum when they propose to relieve themselves of the responsibility for its maintenance in the future.

Yours sincerely,

Sir Charles Todhunter, K.C.S.I.,
Private Secretary to H.H.
BANGALORE.

Submd for perusal
1/7/33

II Member)

1/7

1/7/33

C.B.614

Ballabrooie,

Bangalore, 15th September'33

21

My dear Mirza,

In accordance with your request made this morning in connection with the letter which I showed you from the Bishop of Madras, I am writing to ask if you could very kindly arrange for Mr.Varadarajan to prepare a draft of rules under the Mysore Religious Endowments and Charitable Institutions Regulation for preserving, in the case of St.Bartholomew's Church, the rights of the Bishop in the matter of the appointment of clergy and ~~the~~ lay trustees and the conduct of services etc.

I should be very glad to advise him in the matter if he could come over and see me in the course of tomorrow.

Yours sincerely,

G. Devaraj

15/9

As per talk with C.V. prepare a draft

15/9/33.

C.S.

G.R. [illegible]. III – 3]

Routin[illegible] Notes.

[To be used only for notes, requisit ons, [illegible], not intended for permanen[illegible]

Submitted :–

A Draft of rules for the management of St. Bartholomew's Church in Mysore prepared according to the instructions given by Sir Charles Todhunter is herewith submitted. It may kindly be ordered to be sent to Sir Charles Todhunter.

M. K. Varadaraja Iyengar
21/9/33.

Chief Secretary
H.S.

6/9/33

Please see the last Minute of Mr. Iyengar herewith.

The draft requires some Scrutiny. Two authorities have been consulted – The Muzrai C.Y. has to look after the Bldg. out of the proceeds from the Land belonging to the church

NB – Should [illegible] be written on small sl[illegible] th[illegible] notes must be copied, or slips pasted on this form

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record]

and the Church Committee has to attend the lighting, sweeping etc. connected with the Vidyarnava Vidya Ramaniya Committee Meetings & the Annual entrusted to them. Therefore the said Mr. Reed's Court is issued for the day to show the hands in the hands of the Church Com. for the maintenance of the Hall.

The Mudrai Peon (Mr. Ramaiah) is the Manager to-day.

RG
21/9/33.

Le
24/9/33

Forwarded, unofficially, to the Mudrai Commissioners in Mysore, with compliments, for favour of remarks

C 480/33-34.

By Order,

for Chief Secretary to Govt.

G. O No 12 dated 23/9

NB.—Should routine notes be written on small slips, the notes must be copied or slips pasted on this form.

Serial No.

The draft rules purport to make the Government responsible for the management of the lands and the upkeep of the Church buildings. It is not known what lands the Church owns and if, as is probable, the income from them is insufficient to keep the Church in good repair, Government will have to make an annual grant to make up the deficiency. My predecessors, Messrs S.P. Rajagopalachari and S. Hiriannaiya, stated in their Un-official Notes dated 25th April 1932 and 15th February 1932 that they were not in favour of such a grant. If, however, Government are disposed to give some assistance to this institution, it is better to sanction a cash contribution than to undertake an indefinite liability for the maintenance of the buildings.

If the Church authorities want the Government to take over the management of the lands, this could be done under Section 25 (1) of the Regulation and no elaborate rules are required for this purpose.

Muzrai Commissioner.

(Vide instructions of Chief Secy - on slip in file)

To the Superintendent, Muzrai Branch, with compliments, to kindly put up the references quoted by the Muzrai Commissioner and note on the case.

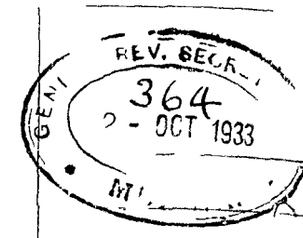
2/10/33

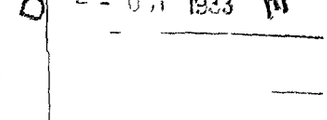
NOTE—Contn. Sheet

WD 70—GBPM—60,000—13-8-31

File No 370 of 1932

General and Revenue Secretariat





The main file on the subject containing the unofficial notes of the Mysore Court is in the Dewan's office. It may kindly be obtained from there.

Inspr. GB with Comps

3

Herewith the papers obtained from the Dewan's office. The file may be kindly worked up further in the Mysore Secretariat (as directed by the Chief Secy.)

Submitted for perusal and further orders in the first instance in person 9/10/33

CSR 7/10/33
Mysore's Pr with comps

For perusal
This will be worked up & submitted.
9/10/33

Chief Secy)

10-10-33
9/10

21) This relates to the transfer of the St. Bartholomew's Church at Bangalore from the Govt of India who are now maintaining it, to this Govt in the Mysore Dept. In his D.O. letter of the 27th June 1933 the private Secy to H.H. suggested that in the circumstances of the case the provisions of the Mysore Mysore Regulations might be used to take over the management of the church by the Mysore Dept, provided the Govt of India put the property into a

K.

Serial No

reasonable state of repair before they divest themselves of the trusteeship, without burdening this Govt to contribute to the repair of the same before it is handed over. He has also sent a rough estimate for Rs 3290 for putting the premises in thorough order, besides a further estimate for Rs 150 for excavating a well 8 ft deep and for installing a hand pump for the purpose of draining the surplus water out of the compound.

B

C

22) In reply to the above letters, the Dewan was pleased to inform the private Secy to H.H. that Govt would be glad to take over the management of the institution, provided the transfer is complete and the building is repaired before it is handed over to them.

A

23) As proposed by the private Secy to H.H. a set of draft rules for the Management of the church was prepared in the Secrt, under his instructions, and the same forwarded to the Mysore Commissioner for remarks. From the unofficial opinion furnished by the M.C it will be seen that he considers that it is better to sanction a cash grant than to undertake an indefinite liability for the maintenance of the church buildings and that in case the church lands attached to the church have to be taken over for management by the Govt, it could be

M.

NOTE—Contn Sheet

Transfer of Management of St Bartholomew's church (Murree)

Murree File No. of 1933. | General and Revenue Secretariat

done under Section 25(1) of the Murree Regulation and that no elaborate rules are required for the purpose.

24) In the circumstances it is for consideration whether this may not be sent to the P.S. to H.M. for favour of furnishing his remarks with reference to Paras 8, 10, 13 and 14 supra. The main file on the subject is with him, as may be seen from the Deputy's D.O. letter of the 28th June 1933 addressed to him.

25) References paras 19-20 supra.

12/10

12/10/33

2nd Member) 12.10.33

12/10

GENL & REV. SECRETARIAT 395 12 OCT. 1933

Office of the Second Member of Council. 12 OCT. No. 2159

The draft rules have to be carefully scrutinized. The H.C's observation about the rules does not take into account the question of rules re the Committee under the Bishop. How far such a Committee can function under the Regn without rules by Govt is not clear.

The H.S. Secy will bring the up

13/10

Submitted with the Under Secy's note

13/10/33

Serial No.

Section 25(1) which the Muzrai Commissioner refers in para 13 above provides only for the taking over by Government of the property of an institution and not to cases where the entire management of the institution is taken over. The Government of India are trustees of this charity at present, and the proposal is that the Mysore Government should undertake the management under section 14 (b) (vi) as the Government of India desire to be discharged from the trust. So long as the charity is under the sole management of the Government, it will be a muzrai institution and the chief controlling authority in all matters connected with it will be vested in the Government under section 3. Government cannot divest itself of this authority and create the Bishop as the sole authority.

301 Under section 7 the Government may subject to rules appoint a committee of persons chosen by election or otherwise for the management of the institution. The Committee will thus be the creature of the Government. No doubt the appointment or the nomination of the members of the committee may be left to the bishop. But it will have to be subject to the control or approval of the Government. The procedure for the conduct of business in the committee and the manner of keeping accounts have also to be subject to the approval of the Government. Under section 22 Government will not be in a position to exercise its control unless accounts or other returns are forwarded to the Government.

Rule 1 also requires some alteration. All that is

NOTE—Contn. Sheet

WD 0246 —GPB—15,000—22-8-32

Management of St. Bartholomew's church in Mysore
395/par

Muzr File No. 320 of 1933. | General and Revenue Secretariat

DEWAN'S OFFICE
2598
19. OCT. 1933

is necessary is to vest the management of the lands in the Muzrai Commissioner and to empower him to utilise the proceeds thereof on the repairs of the church building. If the Government make contributions from time to time for its repairs, the Muzrai Commissioner will use them for that purpose and no mention of this is necessary in the rules.

To meet the above requisites, the following changes in the draft rules are suggested:-

(1) Rule 1 may be recast as follows:-

> The Muzrai Commissioner in Mysore shall manage all the lands appertaining to the Church and may use the proceeds thereof on the repair of the Church buildings.

(2) At the end of rule 2, insert the words " subject to the approval of Government".

(3) Insert the words "subject to the approval of Government" after the words "His Lordship may" and omit the words " may also", in rule 3.

(4) At the end of rule 5, add the words " who shall forward them to the Government".

(5) In rule 6 omit the words " and such other persons as he may think desirable" and " at his discretion" and add the words " with the approval of the Government" after the words " Bishop of Madras".

A draft of the rules as amended is also submitted for consideration.

Office of the Second Member of Council
19 OCT. 1933
No. 1561

Second Member)

I agree in the above note which was written after I discussed the matter with the H. S. Maybe submitted to Dewan

17/10/33

Dewan)

351 19/10. 19-10-33

12-10-33

Management of St Bartholomew's church, Ahmedabad

App. F. III—23

General and Revenue Secretariat

File No 360 of 1933

Serial No.

37/ If approved the file will be sent unofficially, to the Private Secy, to H.H. for favour of furnishing his remarks in the matter.

BJS 21/10

38/ Put up draft reply to Sir Charles forwarding copy of draft Rules as finally approved by the Ministry of the Durbar please. L 21/10/33

39/ A draft is put up.

BJS 21/10

40/ Put up clean draft please now. L 23/10

41/ A clean draft is put up

BJS 23/10

42/ For approval

L 28/10/33

43/ Issue

AD 25/10/33 L 28/10

2 Do. Letter No 502 dated 25.10.33 The Private Secy to H.H. forwards a copy of the Draft Rules for the management of the Ahmedabad Church under the Ministry Resolution

TYPING SECTION 24 OCT. 1933 GENL & REV SEC

Note—Contn. Sheet

31/10

Mez File No. 320 of 193 2 — General and Revenue Secretariat

The draft rules regarding the management of St. Bartholomew's Church at Mysore were laid by Sir Charles Todhunter on 25-10-33. Assistant Officer is now who is now on leave.

The will be kept in Rules' till his return - draft-finalised

Yes 20/2

Has any further action been taken on this file
Have the draft rules been sent to Sir Charles Todhunter or enlarged, since he has come back from leave?

27/2

53/ 11 Yrs

9 See last Remarks
Can Secretariat Dalhousie be sent
copies?

4/8/2

Mis 320 - 32

DEWAN'S MINUTE.

FILE No. 193 .

M2483.

4) Chief Secy

May I see the file about the taking over of St Bartholomew Church, S the Mag Supdt. Subsequent Accountants Genl a letter dated on the question of that proposal & that enclosed to withdraw the offer we made this Govt & thereafter some time ago which has fortunately - as now feel - not been accepted & now to for

M.I
25-8-34

M
27/8

4) Please see

Secy

Dewan -

Will do my remarks on the file.

M
27/8

5) Please write up file to Public Works

28 AUG 1934
No. D39

St Bartholomew's Church and

General and Revenue Secretariat — Mercy File No. — of 1933. — [App. F. III—2

Serial No.

55) With reference to Debeen's Minute at paras 51-52 of the Notes supra it is submitted that no action has taken till now in the matter. The draft Rules approved by Govt. were sent to Sir Charles Todhunter with this office letter dated 25th October 1933.

56 The main file on the subject is with Sir Charles Todhunter. A draft D.O. reminder to him is submitted for orders.

57 Reference paras 51-54 supra.

DRS 28/8 MW

5-8) As. MW. 29/8/34

Ch. Secy). Please speak

RR 29/8.

5-9) Issue as noted

RR 30/8

Letter 291, dated 1-9-34 To Sir Charles Todhunter

Invites reference to this office letter dated 25-10-1933 and requests him to furnish his opinion as to the suitability of the rules.

rec'd. from the Trial Secy. without orders 3 days. 4.55 P.M. MW 29/8/34.

TYPING SECTION, 30 AUG. 1934 GEN'L

Pros D 30/8/34

29/8

NOTE—Contn. Sheet

WD 01955—GPB—22,500—12 6-34

St Bartholomew's church at Mysore

Mysore File No. 20 of 1932 — General and Revenue Secretariat

DEWAN'S OFFICE
5 SEPT. 1934
No. 11.69

60/ D S N Sub 5 as directed by Dewan

2nd minute ←

Dewan

R2
4/9/34
4/9

D.O letter 429 dated 3.9.34 from Sir Charles Fordham is placed in the file
BBS 4/9

61 JPN 4/9

5-9-34

OFFICE OF THE SECOND MEMBER OF COUNCIL
5 SEPT. 1934
No. 1737

Submitted to His Highness.

The accompanying papers relate to the question whether St. Barthalomew's Church at Mysore should be taken over from the Government of India and treated as a Muzrai Institution in the State.

The present position in regard to this matter is explained in Sir Charles Todhunter's letter dated the 27th June 1933. The trusteeship of the Church now vests in the Government of India who are said to be anxious to divest themselves of their trusteeship and to transfer it to the Mysore Government. The Mysore Government can undertake the management of the institution under Section 14 (b) (vi) of the Mysore Religious and Charitable Institutions Regulation, in which case the chief controlling authority in matters connected with the Church will vest in this Government under Section 4 of that Regulation. The authorities of the Church do not seem, however, to be agreeable to the management vesting in Government unreservedly as contemplated by the provisions of the Regulation. They want the Mysore Goverrment to take up the management of the lands and be responsible for the proper up-keep of the Church buildings, while preserving certain rights of the Bishop in respect of the appointment of the Clergy and lay trustees, conduct of services etc. Furthermore, the building is now in urgent need of repairs and the Government of India will have to put it in a reasonable state of repair, which is expected to cost quite an appreciable sum before handing it over to us. If the income from the lands in future be insufficient for maintenance of the building, this Government would have to make up the deficiency. It is also possible that complications might arise in regard to the management of the institution.

I feel on reflection, especially in view of the rather

Submitted to H. H. (contd.)

critical attitude adopted by the authorities of the Church, as also of some of the congregation in regard to the acquisition of a strip of land belonging to it that it would be best to drop the matter and to inform those concerned that the State does not wish to take over the Church.

I solicit the gracious approval of His Highness to the above proposal.

Mirza M. Ismail

Bangalore,)
6th September 1934.)

D E W A N .

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Question of taking over the St. Barthalomew's Church at Mysore from the Government of India and treating it as a Muzrai Institution in the State.

Order.

KRW
10/9/34

395

General and Revenue Secretariat | File No. | of 193 | [App. F. III—2

Serial No.

64 This was given to me by Sir C. Todhunter. Sir Charles said that if the Dewan agreed, the matter may be over for the present.

65 The Dewan agreed. Please put up again at my time during Dasara

Rd 15/9/34

17/9

WD 01955—GPB—22,500—12-6-34

File No.	of 193 .	General and Revenue Secretariat

DEWAN'S MINUTE.

FILE No. 193

St Bartholomews Church

Will you kindly draft a letter to the Resdy telling him that Mr. Goode would like to withdraw the offer they made to the Govt. of India to take over the Church. They have been led — very reluctantly — to this conclusion after their recent experience in connection with the proposal of the Bishy L.J. Board to acquire a portion of the Church Compound — Assn the Resident that we do not wish to indicate any change in our attitude towards the Church in which they will continue to take the same friendly interest as they have taken in the past

C.B
24/9/34

Dy
24-9-34

Submitted for perusal. The original letters to the Resdy and all the papers prior to June 33 are with the P.S. to H.E. and have not been sent by him yet. As they will be necessary to submit draft letters to Resdy as desired by the Dewan, the P.S. to H.E. will, if approved, be asked to return the file immediately. Kind perusal is also invited to the Ch. Secy's note on the previous page.

26/9/34

Read for the C.B. with the enclosed slip just now
26/9/34

24th
27/9.

A Yes -
26.9.34.
26/9

24.9.34

II Member
Govt
Gen: Secy

No ~~other~~ papers in Comp here

If mod^r has no other papers, you may say so & return -

26 9 34

There are no papers here [illegible] 26-9-34

(no papers in CB on ~~Mrs Sulbrecht~~ Mrs Sulbrecht

Mirzoi Branch with Comptr for necessary act

Cgh 26/9/34) [illegible] 26/9/34

Sl Bandh Government church at Mysore

General and Revenue Secretariat | File No. | of 193 | [App. F. III—2

Serial No.

71) A draft to the P.S to H.H. is put up

29/9. 71) Issue ordered 1/10

1 OCT 1934

To

The Private Secretary to His Highness

The Maharaja of Mysore Mysore.

No 500 of 1-10-34

Requesting the return of the file

Dewan's letter dated 28-6-1933. to him.

71) Submitted for perusal.

1/10 71) Yes. But what about the letter to be sent as directed?

Ch: Secy) The Dewan? Pl put up.

1/10/34

RG

1/10/34

It is for putting up this draft that the file now with the P.S. to H.H. has been called for as all the previous correspondence is in that file and it is desirable that the letter ~~to be addressed~~ to the Resident should refer to previous correspondence if any exists by the P.S. to H.H. or the Govt. A draft will be put up as soon as the file is sent back. If deemed proper the P.S. to H.H. may be telephoned to send back the file.

1/10/34

Ch: Secy)

NOTE—Contn. Sheet

2 OCT 1934

WD 0485—GPB—22,500—12 6-34

Bahai Temple Church at Ellore

File No. of 193 . | General and Revenue Secretariat

Telephone Message dated 2.10.34
from the P.A. to H. to the Maharaja

to H.P.(H4) dated 3.10.34
from the P.A. to H.H.
[illegible]
P.W. dated 3rd 14.3.1934.

7. The connected papers referred to in the Rahimi's D.O. letter were obtained, together with D.P.W. file on the subject today at 2-30 P.M., and they are sent herewith. 14.

(Initial here)

7. The Gentis offer to undertake the complete responsibility for the maintenance of the Church house water in the penultimate para of the P.W. Secy's letter No 3441 dated 18.8.1933. to the Residency. IV

(Initial here)

8. A draft letter to the Residency is put up with reference to Rahimi's Minute at para 6 supra.

Reference paras 70 and 74.

Draft submitted for approval.
Secy. Regd:— Dewan's
Minute at para 66 supra,
H. Member's orders at para 70 and
Ch. Secy's orders at para 74. above.

3/10/34

82. Subst. C.S. to
P.C. Secy
Ra
Bhi

(Ch: Secy)

83. Letter to Resident
appd by Member & Dewan

29/10

General and Revenue Secretariat

File No. Mus 320 of 1932

Serial No.

Submitted

84. Draft & fair of letter to Residency, as finally approved, is submitted herewith. (It may be kindly issued from the Genl. Despatching Section, after perusal)

85. The file is returned here for possible reference

Cpo 25/10/34 Asst Secy (Mus.) 26/10/34

P & C 1133 dated 26.10.34

The copy to the Resident.

Enclosure: Kindly refer to your letter dated 3. [illegible] and the reminder dated [illegible] regarding the withdrawal of the case filed by them (in August 1933) to take over the management of the Church and to call upon the Corporation to undertake the responsibility of the maintenance of the church buildings.

86. The file will if approved be sent to the P.W Secrt. unofficially for kindly making the final orders in the matter for taking back their (linked) file and for returning this file to this Branch.

13/11/34.

to Asst may be sent to PW. Secrt with file

13/11/34

Issued from the P. W Secretariat

NOTE—Contn. Sheet

WD 01955—GPB—22,500—12 6-34

File No. | of 193 | General and Revenue Secretariat

Draft rcd
Sec
14/11/34

Sec 2/15/11

730 dated 20.11.34
The fees Rs 10
I - Wrote to him a reply that
he should - letter to the Residency
for information, with proof of the

TYPING - U.S Pen
16. NOV. 193
GENL & R

B/
21/10/34

No 3796
Encls.

GENL & R 607 29 NOV 1934

PUBLIC WORKS SECRETARIAT,

Bangalore, 24 November 193 4.

FROM ~~RAO SAHEB~~ THE CHIEF ENGINEER OF MYSORE,
~~M.G. RANGAIYA, Esq.~~, ~~B.A., B.E., M.I.E.(Ind.), M.A.M.E.R.~~,
~~Secretary to Government,~~ *Public Works Department,*
~~Bangalore.~~

To

The Chief Secretary to Government of Mysore,
Bangalore.

SECTT. NOV 1934

Subject:- Taking over the management of the St. Bartholomew's Church at Mysore by the - Covernment of Mysore.

Sir,

I have the honor to acknowledge the receipt of this office file on the above subject forwarded with your Memo No.730/Muz. dated the 20th November 1934.

Subd for perusal.
BB 5/11
Dr 2/11

I have the honor to be,
Sir,
Your most obedient servant,

P. Lakshmanachar
For Chief Engineer of Mysore.

1 CP.

JM 21/11
21.11.34

VASANTHA MAHAL,

MYSORE, 28th SEPTEMBER 1932.

PRIVATE SECRETARY MYSORE

320
Mir 2 2 8 32 1

GEN. & REV. SECRETARIAT. 405 4 OCT. 1932 MUZRAI.

My dear Mirza,

There is another matter which I should be very grateful if you could spare time to look into in the course of your ensuing visit to Mysore.

St.Bartholomew's Church, as you know, was built at the lowest level of the valley of the Doddakere tank and the subsoil water is so close to the surface that the damp permeates the walls and is endangering the structure of the building.

The Engineers advised that the best means of remedying this was to carry a drain under the road and through the Wesleyan Mission compound opposite to carry off the drainage of both compounds to the storm water drain that runs into the Doddakere.

An estimate for Rs 1840 for this work was prepared and sent to the Government of India. They first asked if the congregation would contribute, and a reply was sent to the effect that they were unable to do so. They next asked if the Government of Mysore would contribute to the maintenance of the Church, and were advised that, while the Government were ready to make a contribution for a specific purpose as an indication of their interest in the institution, they would not make a permanent annual grant for the maintenance of a building that does not belong to them.

The Government of India now say that, in view of the small number of European servants of the Crown who worship there, they do not feel justified in maintaining the Church any longer and that, if it is removed from the list of maintained churches, it will automatically vest in the Indian Church Trustees. They suggest, as an alternative, that the Mysore Durbar might be willing to take it over and to guarantee that the present arrangements for holding services for European servants of the Crown should be continued.

4

I hope that you will agree that the second alternative is the better of the two. A transfer to the trustees of the New Church of India would result in a very involved situation whenever it was necessary to deal with the property, without affording any guarantee that the premises would be kept in repair. In the alternative the building would come under control of the Muzrai Department, and the sympathy and interest shown by the Government of Mysore in the maintenance of facilities for all religious bodies are so well known that I am confident that, if the premises became their property/ the Government of Mysore would see that they were properly maintained as long as they were used for purposes of worship.

It might perhaps be appropriate to cite an instance which affords a comparison of the facilities given by the two alternatives. At an earlier stage of the negotiations connected with the question of the drain, when the Government of India first declined to find the money, it occurred to me, as a possible way of meeting the expense, that the old Church school, which was built by the congregation, and a strip of the compound, for which the congregation have no use, should be made over to the adjacent Training School, which is in need of an enlargement of its playing ground, in consideration of the Government undertaking the making of the drain. The difficulty of securing sanction to the transfer of the land put any such proposal out of the question under present conditions (and those of the Trust would probably be even worse), whereas if both compounds belonged to the Government of Mysore, the exchange could be effected without difficulty. I hope that, if you are prepared to take over the building, you will also be prepared to consider this suggestion also.

I might mention in conclusion that, at the instance of the Church Committee, I have been going, during my leave in England, into the question of extensive improvements of the decorations etc., of the church for which the Committee have a fund of about Rs2,000

vailable, and that they would be in a very much better position or dealing with this project if they were assured in the first nstance that the arrangements for the maintenance of the church ere being put upon a proper basis.

Yours sincerely,

Appendix F G—1]

SUBJECT .....

Section MUS

File No. 208-32

Serial No. 320.

Encl. two books.

Diary No. of letter replied to .....

D.O.No. 1332

To The Private Secy.

to H.H. the Maharaja of Mysore

General and Revenue Secretariat

( )

the 193 .

Dear Sir

Date of issue 15/3/33

I am desired to return herewith with thanks the Copies of the "Constitution Canons and Rules of the Church of India Burma and Ceylon" and the "Madras Ecclesiastical Manual" kindly lent with your D.O letter no. C. 615 dated 3rd February 1933.

Signed by Mr. S. Shamanna

Yours Sincerely

List of enclosures .....

15/3/33

Copied by .....

Examined by .....

WD 71—GBPM—40,000—20-7-31.

1332 Encls two books

Mus~~208~~-32

32a

15th March 33

Dear Sir,

I am desired to return herewith with thanks the copies of the "Constitution Canons and Rules of the Church of India, Burma and Ceylon" and the "Madras Ecclesiastical Manual" kindly sent with your D.O.letter No.C.615 dated 3rd February 1933.

Yours sincerely,

M 1573

Sir Charles Todhunter, K.C.S.I.,
Private Secretary to His Highness
the Maharaja of Mysore.

GENL. & REV SEC
842
6 FEB. 1933
MUZRAI

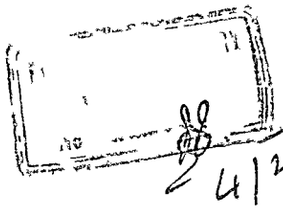
PRIVATE SECRETARY
MYSORE

Vasantha Nandi,

Mysore, 3rd February 1933.

Sends two books
in a pkt

Rec'd 4/2



4/2/33

Dear Mr. Shamanna,

With reference to your letter No.1150 of the 1st instant, I am sending you herewith copies of the "Constitution, Canons and Rules of the Church of India Burma, and Ceylon" and of the "Madras Ecclesiastical Manual" and would invite your attention more particularly to the Rules on page 223 of the former relating to the Maintained Churches and the Rules on page 105 (Vol. V) relating to the Office and Duties of Lay-Trustees in the Diocese of Madras. These are samples of the rules which I anticipate the Bishop would wish to continue if the Church were taken over under the Mysore Religious and Charitable Institutions Regulation of 1927.

I might mention that the question of the legal possibilities of such a transfer is still causing a good deal of difficulty, and that I am hoping to discuss it with the Secretary to the Resident next week.

I should be much obliged if you would kindly

return the books as early as possible as the Chaplain tells me he has no other copies.

Yours sincerely,

FINANCIAL SECRETARIAT,

No. 1157/Mar

Dated, Bangalore, 193
1st February 3.

From

S. Shamanna, Esq., B.A.,
Financial Secretary to the Government of His Highness the Maharaja of Mysore.

To

Sir Charles Todhunter, K.C.S.I., J P
Private Secretary to His Highness
the Maharaja of Mysore, Mysore.

Sir,

With reference to para 4 of your Un-official note dated 1st December 1932, in regard to the transfer of the control over St. Bartholomew's Church at Mysore to the Muzrai Department, I am directed to request you to be so good as to send me a copy of the Madras --- Ecclesiastical Rules referred to therein, for purposes of reference.

The book will be returned to you when done with.

I have the honour to be,

Sir,

Your most obedient servant,

Fair Sd.

for FINANCIAL SECRETARY TO GOVERNMENT.

K.M.R.2/1-2-33.

ppendix F G—1]

SUBJECT .....

.....

.....

Section Mus

File No.

Serial No.

Diary No. of letter replied to .....

No. 1150 1/2/33

To The Private Secy to H.H. the Maharaja of Mysore

Sir,

With reference to para 4 of your unofficial note dated 1.12.32 in regard to the transfer of the control over St. Bartholomew's church at Mysore to the Muzrai Dept., I am directed to request you to be so good as to send me a copy of the Madras Ecclesiastical Rules referred to therein, for purposes of reference. The book will be returned to you when done with.

I have &c

1/2/33.

for H. Secy

General and Revenue Secretariat

( )

the 193 .

Date of issue 1-2-33

ned by .....

List of enclosures .....

Copied by 1/2/33

Examined by 1/2/33

WD 71—GBPM—40,000—20-7-31.

Extracted from the

III.- RULES RELATING TO THE OFFICE AND DUTIES OF LAY-TRUSTEES IN THE DIOCESE OF MADRAS.

(G.Os., 72, Ecclesiastical, dated 3rd May 1901; 107, Ecclesiastical, dated 20th June 1901; 100 Ecclesiastical, dated 6th September 1904;. and 113, Ecclesiastical, dated 9th October 1904.)

I. Two lay-trustees shall be appointed by the Governor in Council to each chaplaincy or station where there is property belonging to or held in trust for the Church of England.

II. (1) At civil or joint civil and military stations, the senior civil servant, and at military stations, the officer commanding the cantonment or garrison, shall be appointed a trustee, provided that he is a communicant of the Church of England and has no objection to hold the office. Failing these officers, the officer next in seniority (civil or military as the case may be) shall, if qualified as above, be nominated.

(2) When the trustee thus appointed is not a gazetted officer in Government service, he shall vacate office on Wednesday in the next Easter week, but shall be eligible for reappointment, provided no gazetted officer is qualified and willing to accept office.

III. (1) The second trustee may be any communicant resident at the station. He shall be nominated by the chaplain and approved by the Lord Bishop and shall hold the appointment for one year from the Wednesday in Easter week, but shall be eligible for reappointment.

(2) If the second trustee vacate office between Easter and Easter, the person/ appointed in his place shall vacate office on Wednesday in the next Easter week, but shall be eligible for reappointment.

IV. When the office of either trustee is vacant, the chaplain shall report the circumstance to the Lord Bishop for the information of Government and shall at the same

same time nominate a duly qualified person to fill the vacancy.

V. The chaplain shall be in charge of the church, church-yard, cemetery and church property; but the lay-trustees are, jointly with him, ~~xxxx~~ empowered to keep, and are held responsible for keeping, the church and premises in good repair, providing for the preservation and safe custody of all property belonging to the church, and disbursing the Government grants and the church funds. The church accounts shall ordinarily be kept by the chaplain, but where there is no resident chaplain they may be kept by one of the lay-trustees if he is prepared to undertake the duty. The chaplain and the lay-trustees shall supervise and arrange the assignment of seats. In case of any serious disagreement between the chaplain and the lay-trustees on these matters, the point in dispute shall be referred to the Lord Bishop. The chaplain and the lay-trustees shall also ~~jointly~~ jointly decide questions regarding the appointment, punishment or removal of the church or cemetery servants, provided that no church or cemetery servant eligible for pension or gratuity shall be removed without the prior consent of the Archdeacon.

VI. The lay-trustees shall not interfere with the administration of divine service, or with the ritual and ornaments of the church. Their function in these matters is to report to the Lord Bishop if they consider that anything contrary to law and order has been done, or that there has been any neglect of duty on the part of the chaplain. During the absence of the chaplain or licensed clergyman, one of the lay-trustees is, in ordinary cases, the proper person to read the service and a sermon on Sundays, and to take charge of the register and other books connected with the chaplaincy.

* Explanation .- Lay-trustees are authorised in the absence of the chaplain to prepare returns under the Christain Marriage Act, 1872, and copies or extracts from baptismal, marriage, ~~xxxxx~~ burial or other church registers. But such returns, copies or extracts should invariably be forwarded to the chaplain for signature and transmission.

VII. The lay-trustees shall, when practicable, meet once

* Now inserted in 1904 in legal advice [Gos nos 6 Eccl 5 100 Eccl 5) 6 9 1904]

a month or oftener if necessary. It shall be the duty of the chaplain, or, in his absence, of the senior lay-trustee, to call a meeting. The chaplain, or in his absence one of the lay-trustees in order of seniority, shall preside. The agenda shall ordinarily be prepared by the president and circulated to the lay-trustees before the meeting, but it shall be competent for one of the lay-trustees to bring forward any question connected with the matters over which they have control. At such meetings, the account books shall, at least once a quarter, be presented together with the cash balances and all necessary vouchers, and shall be audited either by the chaplain and the lay-trustees at the meeting or by such other person as the meeting may appoint. A certificate of audit shall then be prepared for submission to the Archdeacon on the next quarter day.

It shall be the duty of the chaplain and lay-trustees, even though the accounts be audited by another person, at every meeting at which the amounts are produced to see (1) that the chaplaincy fund are kept separate and distinct from private funds; (2) that the balances are in existence, and to prove this by examining the cash balance, and in the case of balances deposited with the Savings Bank or a Bank, that the balances of the pass books written up to date agree with those of the church accounts; and (3) that no advances have been made except upon proper authority, and that none are allowed to remain outstanding longer than is really desirable.

VIII. All communications shall be signed by the chaplain and countersigned by the lay-trustees, and all proceedings shall be entered in a correspondence book and produced for examination at the next meeting.

IX. On the appointment of a lay-trustee the Archdeacon shall send him a copy of these rules.

Extracted from the Constitution, Law of India, Burma and Ceylon

MAINTAINED CHURCHES.

11. The Churches entered for the time being in the Second Schedule to the Indian Church Act shall be maintained and repaired at Government expense, provided that nothing in this rule shall impose any liability on Government to repair any Church when before the passing of the Act such Church was not repaired at Government expense.

12. The Governor-General in Council may remove any Church from the list contained in the Second Schedule to the Indian Church Act by agreement with the Bishop of Calcutta or by 12 months' notice expiring with the end of a financial year, provided that such notice shall not be given unless he has notified his intention to do so to the Bishop of Calcutta and allowed him a reasonable opportunity of showing cause against such removal.

13. The Governor-General in Council may with the concurrence of the Bishop of Calcutta add any church to the list, transfer any Church from one sub-division of Part I of the list to another, or replace on the list any Church which has been removed in accordance with Rule 12, and such addition or replacement shall take effect from the beginning of a financial year.

14. The Governor-General in Council, shall before the end of March in each year, send to the Bishop of Calcutta a correct list of Maintained Churches for the ensuing financial year.

15 If the Governor-General in Council removes a Church from the list for the time being of Maintained Churches, such Church if at that time vested in the Crown shall vest in the Indian Church Trustees, provided that if the Governor-General in Council shall so require, the Indian Church Trustees shall hold it upon the trusts following namely:-

(1) Upon trust to permit the services of the Church of England as contained in any Book of Common Prayer from time to time authorised by law in England or any of them to be performed in that Church for any congregation which includes members of the Church of England, domiciled in the British Isles (a) If a majority of the members of the congregation so domiciled or a majority of the members of the congregation worshipping in that Church in the English Language desire such services, and (b) if and so long as the congregation is willing to contribute an equitable sum to be determined by the Bishop of the Diocese towards the Cost of such services and towards the

maintenance

(2) Upon trust to arrange for such servic[illegible]
such times as are convenient to the congrega[illegible]

Provided further that if during a period of seven consequetive years, which period may include any period previous to the date of severance, no service has been held in any such Church, such Church shall be held freed and absolved from the trust (if any) above specified.

16. Subject to the provisions of these Rules the Churches from time to time entered in the list of Maintained Churches shall be available for the services of the Church of England, as contained in any Book of Common Prayer from time to time authorised by law in England.

17. The services ~~maintained~~ mentioned in Rule 16, when performed in a maintained Church, shall be performed in such manner and according to such rules and by such persons as may be agreed to as being in accordance with the practice of the Church of England by the Governor-General in Council and the Bishop of ~~Calcutta~~ Calcutta, or, failing agreement, as may be determined by the Archbishop of Canterbury.

18. Subject to the provisions of Rules 16 and 22, a form of service or a form of part of a service authorised in India, whether authorised by law in England or not, may be used in a Maintained Church, if the Chaplain or Minister in Charge of that Church and the Church Committee desire it.

19. (1) Forms of service authorised by the bishop of Calcutta or the Bishop of the Diocese either (i) for special occasions at the request or with the consent of the Governor-General in Council or any Local Government or (ii) for troops at the request of the ~~Chief~~ Commander-in-Chief in India, may be used in Maintained Churches either in addition to the Church of England services or in substitution therefor.

(2) Special Collects or Prayers for occasions or subjects peculiar to India may, on the appropriate occasions, be either substituted for prayers in the Church of England services or be added to those services.

20. Subject to the provisions of Rule 19 no service

Book of Common Prayer from time to time authorised by Law in England or authorised by the Indian Church by the shall be used in a consecrated Maintained Church except when the Church is lent to some other Church or denomination.

21. No sacrament, rite, ceremony, solemnisation of marriage service or religious ministration of any kind purporting to be a sacrament, rite, ceremony, solemnisation, service or religious ministration of the Indian Church shall be administered or performed in any Maintained Church except in confirmity with the rules for the time being of the Indian Church.

22. The services of the Church of England, shall, in every Maintained Church, have the first claims to the hours of service on every Sunday or Holy Day, and the times at which they shall be held shall be those most convenient to the congregation attending the Church of England services which are conducted in the English language in that Church. The hours shall be fixed by the Chaplain or Minister in charge in consultation with the Church Committee, and, in the case of services for troops, the Officer Commanding the station.

23. No congregation which at the date of severance had a customary right to worship in a Maintained Church shall be prevented from so doing.

24. The practice or practices followed by the Church of England in India with regard to the marriage of persons in Churches during the 20 years preceding the date of severance, including those relating to the marriage in Church of divorced persons and to marriages between persons within the prohibited degrees, shall continue to be followed in Maintained Churches unless and until they are modified by the Indian Church, but no person whose domicile is outside India shall be debarred by any rule made by the Indian Church from being married in a Maintained Church who would have been entitled to be married in such Church in accordance with the practices followed before the date of severance.

25. The arrangements made for the loan of Churches which have been consecrated for the use of the Church of England

which are in force at the date of severance shall be carr e out by the Church in India unless varied by mutual consent of the Governor-General in Council and the Bishop of Calcutta.

EPISCOPAL SUPERVISION AND MINISTRATIONS.

26. The Indian Church shall provide episcopal supervision for Chaplains and episcopal ministrations for the congregations worshipping in Maintained Churches, and the Governor-General in Council shall make such grants as he may think fit to the Church in consideration of such episcopal supervision and ministrations.

ALTERATIONS OF RULES.

27. If the Bishop of Calcutta refuses to concur in an alteration of these rules proposed by the Governor-General in Council with the sanction of the Secretary of State in Council, as regards the episcopal supervision of Chaplains ministering to troops, the Governor-General in Council may, if he thinks fit, require the matter to be referred to arbitration of the Archbishop of Canterbury or to the Archbishop for the time being act, some persons appointed by him, or if he fails to make such appointment, a person appointed by the Governor-General in Council and the Bishop of Calcutta, and in the case of such reference the decision of the arbitrator shall be final.

BREACHES OF THE RULES.

28. (1) If it shall appear to a Local Government that any officer of the Indian Church has committed a breach of these rules, it shall report the same to the Bishop, who shall take such steps as he thinks fit to ensure their observance, and if a Local Government considers that a Bishop is permitting or himself taking action contrary to these rules, or has failed to ensure observance of the rules, the Local Government may request the Governor-General in Council to bring the matter to the notice of the Bishop of Calcutta, who shall thereupon take such steps as he thinks fit to ensure the observance of the rules

(2) The like manner the Governor-General in Council may of his own motion bring any alleged breaches of the rules to the notice of the Bishop of Calcutta, who shall thereupon take such steps as he thinks fit to ensure their observance.

(3) The Governor-General in Council whether acting of own motion or at the request of a Local Government, shall give the Bishop of Calcutta an opportunity of taking action with regard to such alleged breaches, before he proceeds to act under the next following rule.

29. (i)m If after bringing alleged breaches of these rules to the notice of the Bishop of Calcutta, the Governor-General in Council shall be of opinion that such breaches continue to to be committed, whether with the knowledge of the authorities of the Indian Church or through their default or neglect or otherwise, or (ii) if he shall be of opinion that the Indian Church is so administered that the general intention of these rules is frsutrated, and if, in either case, the Bishop of Calcutta differs from the opinion of the Governor-General in Council, the matter or matters in question shall, with the sanction of the Secretary of State in Council, be referred to arbitration in the manner provided by Rule 27, and the decision of the arbitrator shall be final.

30. If the arbitrator shall find that a breach of these rules has been and is being committed or that the Indian Church is so administered that the general intention of these rules is frustrated, and that the default is such as to justify the Secretary of State in Council in taking action as specified in this rule, then the Secretary of State in Council may if he thinks fit call upon the Indian Church by its representative the Bishop of Calcutta, to carry out any suggestions of the arbitrator for remedying such default and on the refusal or failure of the Indian Church to carry out such suggestions or without so calling on the Indian Church may declare that in all or any of the Churches entered at the date of the declaration in Part I of the Second Schedule to the Act, ~~that~~ the ecclesiastical law of Church of England to such extent as the Archbishop of Canterbury may direct shall be observed and followed, and in such case the Governor-General in Council may, with the sanction of the Secretary of State in Council, and the concurrence of the Arbishop of Canterbury, amend or cancel rules made on any matter specified in paragraphs (vi),

modification thereof and the Secretary of State in Council may, at any time, after making the abovementioned declaration, further declare that all or any of the said chruches shall, at the expiration of twelve months from the date of his declaration, vest in the Crown or in such person or persons as he may appoint for an absolute estate in possession and such of them as are duly consecrated shall be held in trust for the purpose of ministrations in accordance with the rites of the Church of England, and shall be freed from any claim by the Indian Church or officials or members thereof.

If the Secretary of State in Council shall make the first above-mentioned declaration without making the second declaration and the Archbishop of Canterbury shall declare his assent thereto, the Secretary of State in Council may require the Indian Church to provide episcopal ministrations for the churches specified in the said declaration and espicopal supervision of chaplains serving therein, and the Indian Church shall provide such episcopal ministrations and supervision so long as the chaplains concerned hold licenses from Bishops of the Indian Church, and the congregations of the said churches remain congregations of the Indian Church. If the Secretary of State in Council make the second above-mentioned declaration no obligation shall rest on any Bishop of the Indian Church to give episcopal supervision or ministrations in Churches to which the second declaration shall apply.

SPECIAL NOTICE BY THE GOVERNOR-GENERAL IN COUNCIL TO DETERMINE CERTAIN PROVISIONS.

31. The Governor-General in Council, with the sanction of the Secretary of State in Council, may at any time give five years' notice to the Bishop of Calcutta that he intends to make either or both of the declarations mentioned in Rule 30, so far as concerns the churches included at the date of the declaration in Part I(A) of the Second Schedule to the Act, provided always that such churches shall vest in the manner and on the conditions prescribed in Rule 30 forthwith on the making

of the said declaration, and not on the expiration of twelve months from the date thereof and the declaration shall be modified accordingly.

INTERPRETATION OF THE EXPRESSION "CHURCH COMMITTEE".

32. The expression "Church Committee" means, in the case of any Maintained Church served by a Chaplain, the Church Committee as constituted by the rules of Government before the date of severance or as constituted by rules made by the Govenor-General in Council with the concurrence of the Bishop of Calcutta after the date of severance, and in the case of any Maintained Church, not served by a Chaplain, the Church Committee as constituted by rules made with the approval of the Governor-General in Council by the General Council of the Indian Church or, failing such rules, by the Diocesan Council of the Diocese concerned.

Draft Rules.

Whereas the Government of His Highness the Maharaja of Mysore have - assumed the management of St. Barthelomew's Church in Mysore under Section 14, clause (b) (vi), of the Mysore Religious and - Charitable Institutions Regulation 1927, they are pleased to frame the following rules in virtue of the powers vested in them under Sections 7 and 41 of the said Regulation, and of all other powers - enabling them in this behalf:-

1. The Muzrai Commissioner in Mysore shall manage all the lands appertaining to the Church and out of the proceeds thereof or in such other manner as the Government may from time to time direct in this behalf, maintain the Church buildings in good repair.

2. There shall be constituted a Church Committee consisting of the Chaplain, two Lay Trustees and such other persons as the Right Reverend the Lord Bishop of the See and Diocese of Madras may from time to time appoint.

3. His Lordship may prescribe the procedure for the conduct of business in the Committee, and may also direct the manner in which the accounts of the - Committee are to be kept.

4. The Committee shall receive and retain all offertories and contributions that may be made to the Church. and any

any other moneys that may be entrusted to them. They shall defray all expenses connected with the lighting, sweeping and cleaning of the Church and all other expenses necessary for, or incidental to, the religious services and rites conducted therein.

5. The Committee shall maintain proper accounts of income and expenditure, and get them audited not less than once a year. The accounts so audited, together with the auditor's report, if any, shall be ~~submitted~~ furnished to the Lord Bishop of Madras.

6. The Chaplain, Lay Trustees (~~and~~ such other persons as he may think desirable) shall be appointed by the Lord Bishop of Madras. His Lordship will also regulate (at his discretion), all matters necessary for the conduct of the religious services and rites in the Church.

7. No part of the premises or building of the Church shall ever be allowed, either by the Muzrai Commissioner or the Church Committee, to be diverted in any manner inconsistent with the religious purposes of the Church for which the land and building have been consecrated.

DRAFT RULES.

Whereas the Government of His Highness the Maharaja of Mysore have assumed the management of St. Bartholomew's Church in Mysore under section 14, clause (b) (vi)of the Mysore Religious and Charitable Institutions Regulation 1927, they are pleased to frame the following rules in virtue of the powers vested in them under Sections 7 and 41 of the said Regulation, and of all other powers enabling them in this behalf:-

1. The Muzrai Commissioner in Mysore shall manage all the lands appertaining to the Church and may use the proceeds thereof on the repair of the Church buildings.

2. There shall be constituted a Church Committee consisting of the Chaplain, two lay ~~ladies~~ Trustees and such other persons as the Right Reverend the Lord Bishop of the See and Diocese of Madras may from time to time appoint subject to the approval of Government.

3. His Lordship may, subject to the approval of Government, prescribe the procedure for the conduct of business in the Committee and direct the manner in which the accounts of the Committee are to be kept.

4. The Committee shall receive and retain all offertories and contributions that may be made to the Church, and any other moneys that may be entrusted to them. They shall defray all expenses connected with the lighting, sweeping and cleaning of the Church and all other expenses necessary for, or incidental to,

the religious services and rites conducted therein.

5. The Committee shall maintain proper accounts of income and expenditure, and get them audited not less than once a year. The accounts so audited, together with the auditor's report, if any, shall be furnished to the Lord Bishop of Madras who shall forward them to the Government.

6. The Chaplain, and ~~the~~ Lay Trustees shall be appointed by the Lord Bishop of Madras with the approval of the Government. His Lordship wil also regulate all matters necessary for the conduct of the religious services and rites in the Church.

7. No part of the premises or building of the Church shall ever be allowed, either by the Muzrai Commissioner or the Church Committee, to be diverted in any manner inconsistent with the religious purposes of the Church for which the land and building have been consecrated.

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Section Mez

File No. 320 – 32

Serial No.

y No. of letter replied to .....

No. 502 Encl draft rules

To Sir Charles Todhunter K.C.S.I.
Private Secy to H. H.

General and Revenue Secretariat

( )

the 193 .

Dear Sir

With reference to your D.O. letter No 137 dated the 15th September 1933 to the Dewan I am directed to forward herewith a draft of the rules proposed by Govt under the Mysore Religious and Charitable Institutions Regulation, for the management of the St Bartholomew's church at Mysore.

Yours Sincerely

of issue 25/10/33

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D.O.No. 62 C.O.S.

Draft rules

Misc 320-32-2

24th Octr. /33.

25-10

Dear Sir,

With reference to your D.O.letter No.137 dated the 15th September 1933 to the Dewan, I am directed to forward herewith a draft of the rules proposed by Government under the Mysore Religious and Charitable Institutions Regulation, for the management of the St. Bartholomew's Church at Mysore.

Yours sincerely,

Sir Charles Todhunter, K.C.S.I., J.P.,
Private Secretary to His Highness
the Maharaja of Mysore,
Mysore.

WHEREAS the Government of His Highness the Government of His Highness the Maharaja of Mysore have assumed the management of St. Bartholomew's Church in Mysore under Section 14, clause (b) (vi) of the Mysore Religious and Charitable Institutions Regulation 1927, they are pleased to frame the following rules in virtue of the powers vested in them under Sections 7 and 41 of the said Regulation, and of all other powers enabling them in this behalf:-

1. The Muzrai Commissioner in Mysore shall manage all the lands appertaining to the Church and may use the proceeds thereof on the repair of the Church buildings.

2. There shall be constituted a Church Committee consisting of the Chaplain, two Lay trustees and such other persons as the Right Reverend the Lord Bishop of the See and Diocese of Madras may from time to time appoint subject to the approval of Government.

3. His Lordship may, subject to the approval of Government, prescribe the procedure for the conduct of business in the Committee and direct the manner in which the accounts of the Committee are to be kept.

4. The Committee shall receive and retain all offertories and contributions that may be made to the Church and any other moneys that may be entrusted to them. They shall defray all expenses connected with the lighting, sweeping and cleaning of the Church and all other expenses necessary for, or incidental to the religious services and rites conducted therein.

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5. The Committee shall maintain proper accounts of income and expenditure, and get them audited not less than once a year. The accounts so audited, together with the auditor's report, if any, shall be furnished to the Lord Bishop of Madras who shall forward them to the Government.

6. The Chaplain and Lay Trustees shall be appointed by the Lord Bishop of Madras with the -- approval of the Government. His Lordship will also regulate all matters necessary for the conduct of the religious services and rites in the Church.

7. No part of the premises or building of the Church shall ever be allowed, either by the Muzrai Commissioner or the Church Committee, to be diverted in any manner inconsistent with the religious purposes of the Church for which the land and building have been consecrated.

B Muthuswamy

for Financial Secretary

CORRESPONDENCE

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(The Editor does not undertake any responsibility for the opinions expressed by Correspondents)

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Contributions submitted to the Editor for consideration should be accompanied by a stamped and addressed envelope for return in case of rejection.

New Music Before Churches

(To The Editor, "The Daily Post".)

Sir,—European and Anglo-Indians are much concerned at the moment over the retrocession of Bangalore C. & M. Station and are speculating on the treatment they are to expect. The attitude of the State towards these subjects of His Majesty is most conciliatory and heartening and therefore it is the more surprising to find in Mysore itself, the Authorities preparing, in the face of strenuous opposition from the Chaplain and the sentiment of the Church of England Congregation, to wrest a strip of land from St. Bartholomew's Church for the purpose of widening a really unimportant road. Land that has been the property of the Church for over a century.

Christianity has its dignity and regards as trivialities incidents which send others into paroxysms, and I am sure no members of the Church would object to relinquishing a strip of land from its surroundings without good reason.

St. Bartholomew's Church stands perhaps fifty feet back from the main Bangalore road on the East and less from Old Post Office Road on the South. These are very busy thorough fares, and Services are, even as it is, held to the accompaniment of blaring motor horns, bicycle bells, the cries of itinerant vendors and the attractive music (?) of advertising tongas, wedding parties, etc. If the gully to the West is now opened to motor traffic, worship and concentration will be quite impossible. We cannot express ourselves on this little matter of noise and music as forcibly as the next man, but is that any reason why we should submit to an increase?

Again, the widening of this gully, which is really unimportant, will necessitate the felling of a line of trees, which can never be replaced within our generation, laying bare a vista of slum and squalor, most unpleasant.

We realise, if these buildings are given a frontage on a fine motor road their market value will be enhanced, but are reluctant to sacrifice what little peace and quiet is left, and the dignity of our place of worship for that reason.

We appeal to His Highness for his personal attention.

C. of E.

Thank given the file relating to the taking over of the St. Bs Church & put in the Memorial book & the Dio.

Pl. keep the file with the file copy of Camp.

27/8/29

CORRESPONDENCE

—O—

(The Editor does not undertake any responsibility for the opinions expressed by Correspondents)

—O—

Contributions submitted to the Editor for consideration should be accompanied by a stamped and addressed envelope for return in case of rejection.

More Mysore Issues

(To The Editor, "The Daily Post".)

Mysore, Aug. 24

Sir, -I was very interested in 'C of E's' letter in your paper on a Mysore Issue, and I wish to say that the "attractive music (?)" includes that of barbers bands with which certain parts of Mysore are infested and that not only are Church Services of Christians disturbed but the inmates of hospitals also. When a funeral takes place, the band plays a hymn of praise when the corpse is of a male; and when of a female, after she is buried or cremated, invariably "The Girl I left behind Me" is let off with gusto. "Massa's in the Cold, Cold Ground" is another favourite tune which these misguided musicians blow with all their might at *weddings!*

It is a fact that motor horns, cycle bells, and the yelling of tonga-wallahs and wedding parties is most aggravating when Europeans and Anglo Indians are at worship, and, as if this is not sufficiently disturbing, cyclists and tonga-wallahs also have motor horns which they freely, and often most unnecessarily use with impunity.

When Bangalore is retrocessed, she will have to put up with all these incongruities unless His Highness takes suitable action—as I am sure he will—to stop all this, when he knows that these "trivialities" are hurtful to the European and Anglo-Indian Community.

"NEXT MAN".

—O—

Mysore And The Church of England.

(To The Editor, "The Daily Post")

Mysore 28. Aug, 1934.

Sir,—I notice that in the two recent letters appearing in your valuable paper, no mention is made of the feelings of the Indian Members of the Church of England, regarding the agitation against the contemplated action of the Mysore City Improvement Trust Board to acquire a length of ground in the Church of England compound. Mention is only made of the feelings of the European congregation to which I take exception, as the feelings of the Indian Members however small in number, is equally incensed and they are not one whit behind their European brethren in recording their protest at the contemplated action of the Trust Board. In this respect, the Indian Christian Community of all denominations, is highly perturbed and is watching developments with anxiety and interest. (Pure inadvertence—no doubt: we have no doubt whatever of the feelings of Indian Christians in the matter.) (Ed.)

It is a great pity the authorities should misunderstand and resent the attitude of the Church Congregation. Sentiment, however trivial, needs to be respected, particularly where religion is concerned, and the authorities should respect the sentiments and feelings of a congregation noted for its loyalty and sober views. And the attitude of the congregation is not so unreasonable or trivial as in a somewhat similar case a few years ago. I refer to a certain piece of waste land the Trust Board desired to acquire near a Mahommedan Cemetery. The wise Government then quietly dropped the question of acquiring the land, and it is to be hoped the Trust Board will again exhibit the same consideration and tact in the present case regarding the proposed acquisition of a length of land in our Church, which we hold very dear and with the same sentiment as any other community.

Speaking of tact, I am afraid the Trust Board in the present case is lacking in diplomacy. The first mistake it made was in inspecting the Church premises on a Sunday, when Divine Service was being held It was a tactless intrusion which cannot be excused under any circumstances, and which highly incensed the feelings of the congregation. A similar instrusion into a Hindu Temple or a Mohammedan Mosque might have led to a riot. Another mistake the Trust Board made was in not approaching the matter in a proper manner, and in not taking the Minister and the congregation into its confidence.

Leaving every other consideration aside, there is really no need for such a wide road as is contemplated The locality is only a back area and it would be better to acquire the neighbouring hovels and thus widen the road and improve the locality, rather than narrow down the width of the Church Compound and outrage the feelings of the congregation without regard. Apart from the increased traffic that would be attracted, the widening of the road in this manner would bring it too close to the High Altar of the Church.

It is to be hoped that His Highness the Maharajah of Mysore and the Dewan, who have the greatest respect and consideration for the religious sentiments of all denominations, will kindly intervene and prevent the Trust Board from committing a mistake which will reflect adversely on the good name of the State. The Christian Community is a tolerant body and I believe, if the matter is viewed in the right spirit, the authorities will consider and respect its wishes.

AN INDIAN MEMBER OF THE CHURCH OF ENGLAND.

UBJECT .....

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Section May 3

File No.

Serial No.

)iary No. of letter replied to ....

No. 294

To

Sir Charles Todhunter K.C.S

private Secy to H. H.

General and Revenue Secretariat

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the 193 .

)ate of issue . 1 - 9 - 34

)igned by ....

Dear Sir. Charles

I am desired to write

reference to my D.O. Letter No 502

Muvy 320 - 32.2 dated 25.10.1933

forwarding a draft of the rules proposed

by Government under the ellyar Religious

and Charitable Institutions Act

for the management of the St.

Bartholomew's church at ellyam, as

to enquire as to how the matter stands

now, and ~~also as to~~ when the Schedule

of the connected file referred to in

the Secretary's D.O. Letter No 2968 of

the 28th June 1933 addressed to You

on the subject may be expected here

Yours sincerely

Jist of enclosures .....

Copied by .....

Examined by .....

294
Muz 320-32

31st August '34.
1-9-34

r Sir,

I am desired to invite reference to my D.O.
ter No.502 Muz.320-32-2 dated 25th October 1933 forward-
g draft rules proposed by Government under the Mysore -
ligious and Charitable Institutions Regulation for the
nagement of the St.Bartholomew's Church at Mysore. Will
u kindly favour Government with your opinion as to the
itability of the rules?

Yours sincerely,

RP

draft

ir Charles Todhunter, K.C.S.I., J.P.
rivate Secretary to His Highness the Maharaja of Mysore
ysore.

Dear Mr.Ranga Rao, 4/9/13

I am in receipt of your letter No.294/Muz.320-62 of the 1st instant in which you have called my attention to your No.508 Muz.320-62-2, dated the 25th October 1966, regarding the draft rules framed by Government under the Mysore Religious and Charitable Institutions Regulation for the management of St.Bartholomew's Church at Mysore.

I am very sorry that I should have been responsible for any delay in this matter, and I think that I had better send you a note of what has passed in connection with it so far as I am concerned.

After the receipt of the rules from you I referred them to the Bishop and had a certain amount of correspondence with him on the subject, which ended on the 12th November 1966 in my drawing up the enclosed parallel statement of the rules proposed by the Government of Mysore and the modifications suggested by him. I have since added to these a modification of Rule 2 as drafted by the Bishop, of which I am asking his approval. My reason for this is as follows:- The Lay Trustees require certain qualifications laid down by the Ecclesiastical Rules and sometimes a Chaplain finds a difficulty in nominating Lay Trustees whom he approves with reference to these qualifications. In these circumstances, if you insisted on the Trustees for the property being the Lay Trustees under the Ecclesiastical Rules you might find yourself with no Committee at all. For instance, there has actually been no Lay Trustee from December 1956 to August 1964. In order to prevent a recurrence of such a condition of affairs it is proposed to provide specifically that the Trustees need not be Lay Trustees, and at the same time to provide for a quorum in deciding the affairs of the Committee.

Meanwhile I had raised with the Bishop the question of the procedure for conducting the transfer, and this led to some discussion. He wished to apply Statutory Rule 15 of the Rules under the Indian Church Act 1928. In other words he wished the Government of India to divest itself of the charge of the Church, which is now on the list of Maintained Churches, and which it could only do by giving a year's notice, and then for the Indian Church Trustees to make it over to the Government

of Mysore under Section 14(b)(vi) of the Mysore Religious and Charitable Institutions Regulation 1927.

What I suggested to him was that there was no need for this complicated procedure since the Government of India are themselves only trustee for the Church, and therefore they can themselves apply to the Government of Mysore to relieve them of their trust.

At the last stage of the correspondence, that is, on the 21st November last, the Bishop told me that he had referred this question to his legal adviser and would settle it with me when he came to Mysore for the Viceregal visit. Unfortunately he did not do so, and shortly afterwards I went on leave. I believe the matter was raised during my absence, but as nobody here understood the question, no action was taken. I now understand from the Resident that the matter is under correspondence between him and the Bishop.

Meanwhile I understand from my clerk that, although I have not returned the rules formally to your office, Mr.Varadarajan of the Dewan's Office had a copy of them which he took for further examination and which is probably somewhere among your files.

Yours sincerely,

G Edwards

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cese of Madras may from time to time
appoint subject to the approval of
Government.

1. The Muzrai Commissioner in Mysore shall manage all the lands appertaining to the Church and may use the proceeds thereof on the repair of the church buildings.

2. The Chaplain of St. Bartholomew's Church will be appointed by the Bishop of the See and Diocese of Madras; and the four Trustees, of whom two may be the Lay Trustees appointed under the Ecclesiastical Rules, shall be nominated by the Bishop from among the Congregation with the approval of the Government of Mysore. In the event of any failure to nominate within a month after the occurrence of a vacancy among the Trustees the Government may fill the vacancy from among the members of the Congregation. The Chaplain and the four Trustees shall form the Committee for the management of property and funds of the Church. In all meetings of this Committee three members shall form a quorum.

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l of Government, prescribe the proce-
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ppointed by the Lord Bishop of
s with the approval of the Govern-
His Lordship will also regu-
all matters necessary for the
ct of the religious services
ites in the Church.

6. The Lord Bishop of Madras will regulate all matters for the conduct of the religious services and rites in the Church.

o part of the premises or buil-
of the Church shall ever be
red, either by the Muzrai Com-
oner or the Church Committee,
e diverted in any manner in-
istent with the religious pur-
s of the Church for which the land
building have been consecrated.

7. No part of the premises or buildings of the Church shall ever be allowed, either by the Muzrai Commissioner or the Church Committee, to be diverted in any manner inconsistent with the religious purposes of the Church for which the land and building have been consecrated.

R.Ranga Rao, Esq., B.A., B.L.,
Chief Secretary to the Government of His Highness the Maharaja of Mysore

Sir Charles Todhunter,K.C.S.I.,J.P.,
Private Secretary to His Highness
the Maharaja of Mysore, Mysore.

With reference to your letter of the 3rd September 934 regarding the taking over of the management of - ..Bartholomew's Church at Mysore, I am directed to quest you to be so good as to return the connected le referred to in the Dewan's D.O. letter No.2968 of th June 1933 addressed to you on the subject. This may ndly be treated as very urgent.

I have the honor to be,

Sir,

Your most obedient servant,

for Chief Secretary to Government

ECT .....

.....

.....

Section MW3

File No.

Serial No.

No. of letter replied to .....

No. 5700

To Sir Charles Todhunter K.C.S.I. J.P.
P.S. to H.H.

General and Revenue Secretariat

( )

the 193 .

of issue 1/10/34

d by Muddukrishnappa

~~Dear~~ Sir ~~Charles~~

With reference to your letter of the 3rd September 1934 regarding the management of the St. Bartholomew's Church at Mysore, I am ~~desired~~ directed to request you to ~~favour me with~~ be so good as to let me have the connected file referred to in the Dewan's D.O. letter No 2968 of 25.6.1934 addressed to you on the subject. This may kindly be treated as very urgent.

A

~~Yours sincerely~~
Thanking you
1/10/34
for Chief Secy

of enclosures.....

ied by.....

mined by.....

WD 0253—GPB—15,000—26-8-32

2 - OCT 1934

From

The Private Secretary to H.H.

To The Chief Secretary to Govt.

CHIEF SECRETARIAT
MUZ
2 OCT. 1934

Reply to your letter No 500 dated 21st instant I am writing to advise you the file referred to in Dewani D. letter No 2968 of 28th June 1933 was returned to the Secretary to Govt. P. W. D. with this office letter No 52 of 18th July 1933

Ahmad Ali
Private Secretary

Subj If appd. This will be sent to the P. W. Secretary for putting the above file and the connected papers relating to transfer of the Management of the St. Bartholomew's church from the Govt. of India to the Mysore Govt.

For favour of Compliance as the file is urgently required.

3/10 MS.

Asst Secy, P.W.D. with Compliments

for Secy

3/10/34

The corrected papers are herewith printed up.

E.G.
3-10-34

647

PRIVATE SECRETARY MYSORE

Vasantha Mahal,

Mysore, 2nd October 1934.

Dear Mr. Ranga Rao,

In reply to your letter No.500 of the 1st instant, I am writing to advise you that the file referred to in Dewan's d.o.letter No.2968 of 28th June 1933 was returned to the Secretary to Government, Public Works Department, with this office letter No.52 of 18th July 1933 and its receipt was acknowledged in his letter No.94 of the 21st July 1933.

Yours sincerely,

R.L.

3/10 -

3/10 CHIEF SECY

3 OCT. 1934

Carlton House,

Bangalore,

30th September 1934.

182.

My dear Major Lawarus,

I write to thank you very much for your letter of the 28th September with reference to St. Bartholomew's Church. I need not tell you how greatly I appreciate the friendly sentiments which you have expressed on behalf of Colonel Howden. I understand from the Chairman, City Improvement Trust Board, that the question of the acquisition of strip of land has since been settled to the satisfaction of both parties.

Yours sincerely,

Sd. Mirza I. Ismail

WAR'S OFFICE
OCT. 1934
No. 21430

Chief Secretary's Office

B.O.

2/10/34

2 OCT. 1934

CONFIDENTIAL.
D.O.No. C/ST.7/65-34.

THE RESIDENCY,
BANGALORE
(Camp) Ootacamund,
25th Septr., 1934.

ST. BARTHOLOMEW'S CHURCH, MYSORE.

My dear Iain,

I have to thank you very much for deputing Mr. Kesavaiengar to meet me at Mysore and show me on the spot the strip of St. Bartholomew's Church land which it is proposed to incorporate in the new road.

I explained all the facts of the case to the Resident on my arrival at Ootacamund; and I am desired to say that Colonel Plowden has not the slightest doubt that the question will be settled in a friendly spirit and to the satisfaction both of His Highness' Government and of the Ecclesiastical authorities.

He has asked me to add that in view of the fact that the establishment of this Church was rendered possible by the generosity and - -

liberal-mindedness

liberal-mindedness of the Ruler of the State, and that since that time a great deal has been done for the Church by His Highness and His Highness' Government, he is very sorry indeed if anything has been done or said - very likely in ignorance of all the past history of the Church - which would be hurtful to the feelings of His Highness or His Highness' Government.

Yours sincerely

C. F. Andrews.

Sir Mirza M. Ismail, Kt., C.I.E., O.B.E.,
Dewan of Mysore.

ASB/24.5

ASB

No. 1160

Dear Sir,

I am in receipt of your letter of the 28th ultimo regarding the proposed acquisition of a portion of the compound of St. Bartholomew's Church, Mysore and have placed it before the Dewan.

Yours sincerely,

Private Secretary to Dewan.

Rev. Arnold Thomas,
Chaplain of Mysore & Coorg,
The Chaplain's House,
MYSORE CITY.

DEWAN'S OFFICE
3 OCT. 1934
No. 1160

Chief Secretary with
Compliments
B.O.

3 Oct. 1934

REV ARNOLD THOMAS,
CHAPLAIN Mysore Coorg.
HOLY TRINITY CHURCH, YERCAUD
CHRIST CHURCH, SALEM
RAILWAY CHURCH, SALEM-JUN.

THE PARSONAGE
YERCAUD,
SHEVAROY HILLS.
SOUTH INDIA

The Chaplains House
Mysore City
28 Sept 34

Dear Sir

In reply to the compromise suggested by St Barth Women's Church Committee in their letter dat Sept 11. 1934 a copy of which along with Encl sent to you

The Bishop's Commissary writes.

"I shall raise no objection to the Comp: suggested by St Barth Women's Church Comm as soon as I hear from you that the City Improvement Trust Board has accepted the compromise I shall submit the question to the proper authorities for sanction

To Singaravelu Mudaliar B.A.B.L. Esq.
Private Secretary to Dewan

Yours Sincerely
Arnold Thomas
Chaplain

Copy of letter to the Chairman
City Improvement Trust Board
Mysore

Submitted for perusal
30.9.34.

be a/cd
in
3/1

To

The Secretary to the Resident.

...

Subject. -

Taking over the management of the St. Bartholomew's Church at Mysore by the Govt. of Mysore.

Sir,

I am directed to invite reference to the penultimate para of the Public Works Secretary's letter No.344/S. dated 18th August 1933 and to para 3 of your letter No.149-T/379.A 1931 dated 28th October 1933 on the above subject and to state that on further consideration of the matter, the Government of Mysore feel reluctantly compelled to withdraw the offer made by them in the Public Works Secretary's letter to undertake complete responsibility for the maintenance of the Church if it is transferred to their charge. The Government were led to this decision on account of the unpleasant experience they had in connection with the proposal of the Mysore City Improvement Trust Board to acquire a portion of the compound of this Church in order to improve the locality. The fact was that ~~xxxxxxxxx~~ on this side of the Church the surroundings are rather unsightly and with a view to improve both the unsightly appearance and insanitation of the locality, the City Improvement Trust Board proposed to acquire a small bit of land lying within the Church compound ~~wall, and thus~~ for ensuring improvement of the locality and good

sanitation.

One would have thought, the matter was a minor one in character and would have received ready co-operation of the Church authorities. But to their surprise of this Government, both the Church authorities and the Chaplain of Madras have thought ~~of~~ the reverse. The letters of the Chaplain of Madras, which I enclose herewith, speak for themselves.

In view of the rather unnecessary critical attitude taken by the Church authorities in respect of the improvement which this Government wish to effect in the ~~xxxxxx~~ Church surroundings they now think it best to leave the Church under ~~xxx~~ its present custodians. In this connection I am to request you to kindly assure the Hon'ble the Resident, that this does not indicate any change in the attitude of the Govt. of Mysore towards the Church in which they will continue to take the same friendly interest as they have taken ~~xxxxxx~~to.

I have, etc.

Chief Secretary to Govt.

3/10/34

Copy to Secy. P.W.D. for information.

Question of withdrawing ~~the~~ our offer to the Government of India to take over the St. Bartholomew's Church.

Please put up with Vestaken library file

Secretary

Sec'y

Pl. Secy

In view of the fact that the question of acquisition of a portion of the compound has been amicably settled, it is for orders if the question of withdrawing the offer to take over the church under the Mysore Government, is meant to be pursued — in which case the draft G.O. has to be recast giving some other reasons for our withdrawal.

(in linked file)
H. N

Reference is invited to the Public Works Secretary's letter dated 15th August 1933 in which the Government of India were asked to give Rs.3,290 for repairs to the premises "on the understanding that they will be relieved of all further obligations in respect of the church as soon as the question of transfer of the trust was settled". This offer was accepted by the Government of India and they paid the sum of Rs.3,290 ~~accordingly~~ on that understanding.

H. O.

(This may involve some difficulty in our withdrawing from our offer)

21/10/34

General and Revenue Secretariat

Dated, Bangalore, 24th October 1934.

No. Pol 433/Mis 320-32-3

From Rajasevasakta
R. RANGA RAO, Esq., B A., B L.,
Chief Secretary to the Government of His Highness the Maharaja of Mysore.

To

Major C. G. N. Edwards, I.A.,
Secretary to the Hon'ble the Resident in Mysore.

Sir,

Subject:- Taking over the management of the St. Bartholomew's Church at Mysore by the Government of Mysore.

I am directed to invite reference to the correspondence ending with your letter No.149.T./379 A.1931 dated the 28th October 1933 on the above subject.

After a careful consideration of all the circumstances relating to this, Government find that the transfer of the management to this Government is likely to involve them in some difficulties. They would, therefore like to withdraw the offer made by them, to take over the Trusteeship of the Church and to undertake the responsibility of the maintenance of the Church buildings. The Trusteeship may, as heretofore, continue to vest in the Government of India. I am, however, to convey the assurance of this Government that this does not indicate any change in their attitude towards the Church, in which they will continue to take the same friendly interest as they have taken hitherto.

I have the honour to be,
Sir,
Your most obedient servant,

Chief Secretary to Government.

97

25th October 1934.

Rajasevasakta

Major C. G. N. Edwards, I.A.,
Secretary to the Hon'ble the Resident in Mysore.

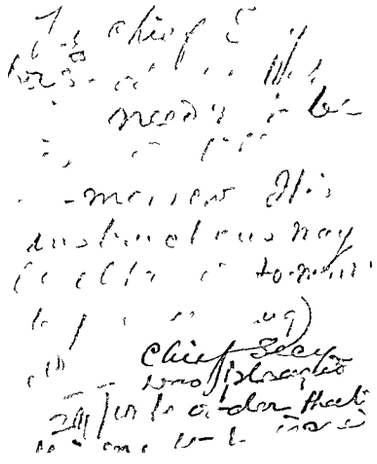
Subject:- Taking over the management of the St. Bartholomew's Church at Mysore by the Government of Mysore.

I am directed to invite reference to the correspondence ending with your letter No.149.T./379 A.1931 dated the 28th October 1933 on the above subject.

After a careful consideration of all the circumstances relating to this, Government find that the transfer of the management to this Government is likely to involve them in some difficulties. They would, therefore like to withdraw the offer made by them, to take over the Trusteeship of the Church and to undertake the responsibility of the maintenance of the Church buildings. The Trusteeship may, as heretofore, continue to vest in the Government of India. I am, however, to convey the assurance of this Government that this does not indicate any change in their attitude towards the Church, in which they will continue to take the same friendly interest as they have taken hitherto.

I have the honour to be,
Sir,
Your most obedient servant,

Chief Secretary to Government.



To

The Secretary to the Hon'ble
the Resident in Mysore.

Subject:- Taking over the management of the St. Bartholomew's Church at Mysore by the Government of Mysore.

Sir,

I am directed to invite reference to the correspondence ending with your letter No. 149.T./379 A.1931 dated the 28th October 1933 on the above subject.

After a careful consideration of all the circumstances relating to this, Govern' ment find that the question of transfer of the management to the Mysore Government presents many difficulties. There is a special Regulation in Mysore governing the management of Religious and Charitable Institutions, under which certain powers of control and management over such institutions ~~are vested~~ are vested in Government. The authorities of the St.Bartholomew's Church do not seem to be agreeable to abide by the general provisions of the said Regulation and the rules thereunder. The Church building is still far from being in a condition of good repair. The assumption of management by this Government not only involves definite financial

responsibilities but is likely to give rise to several opportunities for misunderstanding between the Church authorities and the Government.

In the circumstances, I am to state that the Government of Mysore desire to withdraw the offer previously made by them to take over the Trusteeship of the Church and undertake responsibility for the maintenance of the Church buildings, etc. The Trusteeship may, as heretofore, continue to vest in the Government of India. I am, however, to convey the assurance that this does not indicate any change in the attitude of this Government towards the Church, in which they will continue to take the same friendly interest as they have taken hitherto.

I have etc.,

Chief Secretary.

Section

File No.

Serial No.

No.

iry No. of letter replied to .....

To

Here enter letter No. Pol 433 dated 24/26th October 1934 from the Chief Secretary to the Govt. of the Hon'ble the Resident in Mysore

neral and Revenue Secretariat

( )

the *193* .

of issue .....

gned by .....

Memo to N.B.

Copy of the above is forwarded with Compliments (or in continuation of this office letter No. dated) to the Secy. to Govt. (Pol Dept.) for information with his opinion on the subject the receipt of which may kindly be acknowledged.

of enclosures .....

d by .. 19/11/34

15/11.

For Chief Secy.

ined by.....

WD 01956—GPB—22,500—12-6-34

Letter No.

Secretary to the Government of His Highness the Maharaja of Mysore to the Secretary to the Hon'ble the Resident in Mysore.

Subject:- Taking over the management of the St.Bartholomew's Church at Mysore by the Government of Mysore.

I am directed to invite reference to the correspondence ending with your letter No.149.F/179 A.1931 dated the 20th October 1933 on the above subject.

Ge After a careful consideration of all the circumstances relating to this, Government find that the terms of the agreement to this Government is likely to involve them in serious liabilities. They would, therefore like to withdraw this offer made by them, to take over the trusteeship of the Church and to undertake the responsibility of the maintenance of the Church buildings. The Date Trusteeship may, as heretofore, continue to vest in the Government of India. I am, however, to convey the assurance of this Government that this does not indicate any change in their attitude towards the Church, in which they will continue to take the same friendly interest as they have taken hitherto.

Government of His Highness the Maharaja of Mysore.

Memo No. 730 & 3 files General and Revenue Secretariat.

Dated Bangalore, the 18th November 1934.

Copy of the above is forwarded, with compliments to the Secretary to the Government of His Highness the Maharaja of Mysore Public Works Department for information together with his office file on the subject, the receipt of which may kindly be acknowledged.

By order,

for Chief Secretary to Government.

B.H.M.2